



February 20, 2013

**VIA ELECTRONIC FILING**

*Board of Trustees*

*Area 1  
Michael Baker*

*Area 2  
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*Area 3  
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Kawamoto, Ph.D.*

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Bob Bastian*

*Area 5  
Cortez Quinn*

*Area 6  
Rebecca Sandoval*

*Area 7  
Linda Fowler, J.D.*

*Interim Superintendent  
Joseph Williams*

*To inspire each student to  
extraordinary achievement  
every day*

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

**Re: Request to Cancel Premature Demand Payment Letters Issued by the  
Schools and Libraries Division of the Universal Service Administrative  
Company, CC Docket No. 02-6**

Dear Ms. Dortch:

Twin Rivers Unified School District ("TRUSD") hereby requests cancellation of six premature Demand Payment Letters (the "Letters," **Attachment A** hereto) issued by the Universal Service Administrative Company Schools and Libraries Division ("SLD") on February 11, 2013, regarding the following funding requests from the Schools and Libraries Universal Service Support Mechanism ("E-Rate"):

|                            |                                 |
|----------------------------|---------------------------------|
| Applicant Name:            | Rio Linda Union School District |
| Billed Entity Number:      | 144578                          |
| Funding Year:              | 2007                            |
| Form 471 App. Number:      | 574902                          |
| Funding Request Number(s): | 1589372                         |

|                            |                                 |
|----------------------------|---------------------------------|
| Applicant Name:            | Rio Linda Union School District |
| Billed Entity Number:      | 144578                          |
| Funding Year:              | 2007                            |
| Form 471 App. Number:      | 578905                          |
| Funding Request Number(s): | 1618069                         |

|                            |                                 |
|----------------------------|---------------------------------|
| Applicant Name:            | Rio Linda Union School District |
| Billed Entity Number:      | 144578                          |
| Funding Year:              | 2007                            |
| Form 471 App. Number:      | 578905                          |
| Funding Request Number(s): | 1636144                         |

|                            |                                     |
|----------------------------|-------------------------------------|
| Applicant Name:            | Twin Rivers Unified School District |
| Billed Entity Number:      | 16048929                            |
| Funding Year:              | 2008                                |
| Form 471 App. Number:      | 635684                              |
| Funding Request Number(s): | 1758853                             |

|                            |                                     |
|----------------------------|-------------------------------------|
| Applicant Name:            | Twin Rivers Unified School District |
| Billed Entity Number:      | 16048929                            |
| Funding Year:              | 2008                                |
| Form 471 App. Number:      | 635684                              |
| Funding Request Number(s): | 1758970                             |

|                            |                                     |
|----------------------------|-------------------------------------|
| Applicant Name:            | Twin Rivers Unified School District |
| Billed Entity Number:      | 16048929                            |
| Funding Year:              | 2008                                |
| Form 471 App. Number:      | 635684                              |
| Funding Request Number(s): | 1759054                             |

In the alternative, TRUSD requests a stay of the Letters pending resolution of its Consolidated Request for Review (“Request for Review”) of the underlying Commitment Adjustment (“COMAD”) letters issued by the SLD regarding each of the funding requests identified above.<sup>1</sup> In the Request for Review, TRUSD argues that each of the COMAD letters was either issued in error or that a waiver of the Commission’s rules is justified under existing precedent.

In light of the pending Request for Review, the Letters are premature. They were issued only one business day after TRUSD filed its Request for Review, and before the Wireline Competition Bureau (“Bureau”) has had any opportunity to act. TRUSD therefore requests that the Commission direct SLD to hold its collection efforts in abeyance until such times as there is a final decision in this matter resolving the issues raised in the Request for Review. Such a directive will preserve the status quo, and avert the substantial financial hardship that TRUSD would incur if it were required to repay, in the aggregate, over \$1 million in disputed support while its Request for Review remains pending.

To do otherwise would force TRUSD into a dilemma between premature repayment of the disputed E-Rate funds, thereby hindering its ability to pursue its educational mission, or delaying repayment, with the attendant risk of being placed in “red light” status, which could interrupt the flow of its current E-Rate support. Nothing in the Commission’s rules requires TRUSD to make that choice.

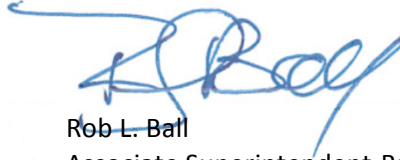
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<sup>1</sup> *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Consolidated Request for Review of a Decision of the Universal Service Administrator by Twin Rivers Unified School District (filed Feb. 8, 2013).

February 20, 2013

Please contact the undersigned should you have any questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Rob L. Ball", with a stylized flourish extending from the top left.

Rob L. Ball

Associate Superintendent-Business Support Services  
Twin Rivers Unified School District  
3222 Winona Way  
North Highlands, California 95660

cc: USAC Schools and Libraries Division

# **Attachment A**



Schools and Libraries Division

Demand Payment Letter

( Funding Year 2007: July 1, 2007 - June 30, 2008 )

February 11, 2013

Ruth Ann Hall

RIO LINDA UNION SCHOOL DISTRICT

627 L ST

RIO LINDA, CA 95673 3430

Re: Form 471 Application Number: 574902  
Funding Year: 2007  
Applicant's Form Identifier: Maint-1  
Billed Entity Number: 144578  
FCC Registration Number: 0004513982  
SPIN: 143012276  
Service Provider Name: Marketware Technologies  
Service Provider Contact Person: Richard Reece  
Payment Due By: 3/13/2013

You were previously sent a Notification of Commitment Adjustment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to the Notification of Commitment Adjustment Letter. A copy of that Report is attached to this letter.

The balance of this debt is due within 30 days from the date of this letter. Failure to pay the debt within 30 days from the date of this letter could result in interest, late payment fees, administrative charges, and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at [http://www.fcc.gov/debt\\_collection/faq.html](http://www.fcc.gov/debt_collection/faq.html).

If the Universal Service Administrative Company (USAC) has determined that both the applicant and the service provider are responsible for a Program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a Program rule violation, this was indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full "Funds to be Recovered from Applicant" amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

If sending payment by U. S. Postal Service or major courier service (e.g. Airborne, FedEx, and UPS) please send check payments to:

Universal Service Administrative Company  
Lock Box 105056  
1075 Loop Road  
Atlanta, GA 30337  
Phone: 404-209-6377

Local messenger service should deliver to the Lockbox Receiving Window at the above address.

Payment is due within 30 days from the date of this letter.

Complete Program information is posted to the SLD section of the USAC website at [www.usac.org/sl/](http://www.usac.org/sl/). You may also contact the SLD Client Service Bureau by email using the "Submit a Question" link on the SLD website, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

Universal Service Administrative Company  
Schools and Libraries Division

cc: Richard Reece  
Marketware Technologies

Funding Commitment Adjustment Report  
Form 471 Application Number: 574902

Funding Request Number: 1589372  
Services Ordered: INTERNAL CONNECTIONS MNT  
SPIN: 143012276  
Service Provider Name: Marketware Technologies  
Contract Number: Y9-01-1  
Billing Account Number: NA  
Site Identifier: 144578 ✓  
Original Funding Commitment: \$283,844.96  
Commitment Adjustment Amount: \$283,844.96  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$283,844.96  
Funds to be Recovered from Applicant: \$283,844.96  
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During a review, it was determined that the applicant did not have a contract in place at the time of submission of the Form 471. This determination was based on the applicants statement that it was the practice of the District at that time to inform the prevailing vendor that the Award of the contract was contingent upon funding from the SLD. It was implied and understood by the vendor that the filing of the 471 was the intent to proceed once funding was approved. FCC rules require applicants to have a valid contract as defined by the applicants state procurement laws and regulations at the time they submit the Form 471. Since the applicant was unable to demonstrate that they had a contract in place at the time of submission of the Form 471 that meets the state laws definition of a valid contract, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

PLEASE SEND A COPY OF THIS PAGE WITH YOUR  
CHECK TO ENSURE TIMELY PROCESSING



Schools and Libraries Division

Demand Payment Letter

( Funding Year 2007: July 1, 2007 - June 30, 2008 )

February 11, 2013

Ruth Ann Hall  
RIO LINDA UNION SCHOOL DISTRICT  
627 L ST  
RIO LINDA, CA 95673 3430

|                                  |                         |
|----------------------------------|-------------------------|
| Re: Form 471 Application Number: | 578905                  |
| Funding Year:                    | 2007                    |
| Applicant's Form Identifier:     | IP Video                |
| Billed Entity Number:            | 144578                  |
| FCC Registration Number:         | 0004513982              |
| SPIN:                            | 143012276               |
| Service Provider Name:           | Marketware Technologies |
| Service Provider Contact Person: | Richard Reece           |
| Payment Due By:                  | 3/13/2013               |

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If the Universal Service Administrative Company (USAC) has determined that both the applicant and the service provider are responsible for a Program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a Program rule violation, this was indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.



If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

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Universal Service Administrative Company  
Lock Box 105056  
1075 Loop Road  
Atlanta, GA 30337  
Phone: 404-209-6377

Local messenger service should deliver to the Lockbox Receiving Window at the above address.

**Payment is due within 30 days from the date of this letter.**

Complete Program information is posted to the SLD section of the USAC website at [www.usac.org/sl/](http://www.usac.org/sl/). You may also contact the SLD Client Service Bureau by email using the "Submit a Question" link on the SLD website, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

Universal Service Administrative Company  
Schools and Libraries Division

cc: Richard Reece  
Marketware Technologies

Funding Commitment Adjustment Report  
Form 471 Application Number: 578905

Funding Request Number: 1618069  
Services Ordered: INTERNAL CONNECTIONS  
SPIN: 143012276  
Service Provider Name: Marketware Technologies  
Contract Number: Y-10  
Billing Account Number: NA  
Site Identifier: 144578  
Original Funding Commitment: \$641,077.09  
Commitment Adjustment Amount: \$641,077.09  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$641,077.09  
Funds to be Recovered from Applicant: \$641,077.09  
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During a review, it was determined that the applicant did not have a contract in place at the time of submission of the Form 471. This determination was based on the applicants statement that it was the practice of the District at that time to inform the prevailing vendor that the Award of the contract was contingent upon funding from the SLD. It was implied and understood by the vendor that the filing of the 471 was the intent to proceed once funding was approved. FCC rules require applicants to have a valid contract as defined by the applicants state procurement laws and regulations at the time they submit the Form 471. Since the applicant was unable to demonstrate that they had a contract in place at the time of submission of the Form 471 that meets the state laws definition of a valid contract, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

In addition, during a review, it was determined that the price of eligible products and services was not the primary factor in the vendor selection process. This determination was based on the evaluation criteria outlined in the RFP provided by the applicant. The document indicated that the Most Cost Effective Proposal and Client References both had a weighting of 30 percent as such price was not the primary factor in your bid evaluation. FCC rules require that applicants select the most cost-effective product and/or service offering with price being the primary factor. Applicants may take other factors into consideration, but in selecting the winning bid, price must be given more weight than any other single factor. Since price was not the primary factor in the vendor selection process, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

In addition, during a review, you provided a copy of a Request for Proposal (RFP) that was issued on 1/10/07. Your Form 470 was filed on 1/10/07 with an Allowable Contract Date of 2/7/07. According to Program rules, applicants must wait 28 days after their FCC Form 470 is posted to USACs website or after public availability of their RFP, whichever is later, before selecting a vendor or executing a contract. The due date of your RFP was 2/5/07 which is less than 28 days after the issuance of the RFP. Both the FCC Form 470 and the RFP must be available for at least 28-days and if not released on the same day, both documents must remain open until such time as both documents have been available for at least 28 days. Since you closed the bidding before the RFP was available for at least 28 days, you are not in compliance with FCC rules. Accordingly, the commitment for FRN 1618069 has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

As a result of these violations the commitment will be reduced by \$641,077.09 and if the recovery of improperly disbursed funds is required USAC will seek recovery.

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Funding Request Number: 1636144  
Services Ordered: INTERNAL CONNECTIONS MNT  
SPIN: 143012276  
Service Provider Name: Marketware Technologies  
Contract Number: na  
Billing Account Number:  
Site Identifier: 144578  
Original Funding Commitment: \$44,389.63  
Commitment Adjustment Amount: \$44,389.63  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$44,389.63  
Funds to be Recovered from Applicant: \$44,389.63  
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During a review, it was determined that the applicant did not have a contract in place at the time of submission of the Form 471. This determination was based on the applicants statement that it was the practice of the District at that time to inform the prevailing vendor that the Award of the contract was contingent upon funding from the SLD. It was implied and understood by the vendor that the filing of the 471 was the intent to proceed once funding was approved. FCC rules require applicants to have a valid contract as defined by the applicants state procurement laws and regulations at the time they submit the Form 471. Since the applicant was unable to demonstrate that they had a contract in place at the time of submission of the Form 471 that meets the state laws definition of a valid contract, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

In addition, during a review, it was determined that your Form 470 did not include the service(s) for which you sought funding in your Form 471 application, which is a violation of the FCCs competitive bidding rules. The applicant indicated that FCC Form 470# 676390000621541 established the bidding for the Smartnet services requested in this FRN. However, the applicant failed to post for any Basic Maintenance of Internal Connections services. FCC rules require that, except under limited circumstances, all eligible schools and libraries shall seek competitive bids for all services eligible for support. Since the services for which you sought funding were not properly posted to the website for competitive bidding, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

In addition, during a review, it was determined that the price of eligible products and services was not the primary factor in the vendor selection process. This determination was based on the evaluation criteria outlined in the RFP provided by the applicant. The document indicated that the Most Cost Effective Proposal and Client References both had a weighting of 30 percent as such price was not the primary factor in your bid evaluation. FCC rules require that applicants select the most cost-effective product and/or service offering with price being the primary factor. Applicants may take other factors into consideration, but in selecting the winning bid, price must be given more weight than any other single factor. Since price was not the primary factor in the vendor selection process, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

In addition, during a review,, you provided a copy of a Request for Proposal (RFP) that was issued on 1/10/07. Your Form 470 was filed on 1/10/07 with an Allowable Contract Date of 2/7/07. According to Program rules, applicants must wait 28 days after their FCC Form 470 is posted to USACs website or after public availability of their RFP, whichever is later, before selecting a vendor or executing a contract. The due date of your RFP was 2/5/07 which is less than 28 days after the issuance of the RFP. Both the FCC Form 470 and the RFP must be available for Schools and Libraries Division/USAC 1DL Page 5 of 6 02/11/2013

at least 28-days and if not released on the same day, both documents must remain open until such time as both documents have been available for at least 28 days. Since you closed the bidding before the RFP was available for at least 28 days, you are not in compliance with FCC rules. Accordingly, the commitment for FRN 1636144 has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

As a result of these violations the commitment will be reduced by \$44,389.63 and if the recovery of improperly disbursed funds is required USAC will seek recovery.

PLEASE SEND A COPY OF THIS PAGE WITH YOUR  
CHECK TO ENSURE TIMELY PROCESSING



Schools and Libraries Division

Demand Payment Letter

( Funding Year 2008: July 1, 2008 - June 30, 2009 )

February 11, 2013

Ruth Ann Hall

TWIN RIVERS UNIFIED SCHOOL DISTRICT

3222 Winona Way

North Highlands, CA 95660

|                                  |                                |
|----------------------------------|--------------------------------|
| Re: Form 471 Application Number: | 635684                         |
| Funding Year:                    | 2008                           |
| Applicant's Form Identifier:     | Phone                          |
| Billed Entity Number:            | 16048929                       |
| FCC Registration Number:         | 0018038620                     |
| SPIN:                            | 143002665                      |
| Service Provider Name:           | Pacific Bell Telephone Company |
| Service Provider Contact Person: | Michael Swisher                |
| Payment Due By:                  | 3/13/2013                      |

You were previously sent a Notification of Commitment Adjustment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to the Notification of Commitment Adjustment Letter. A copy of that Report is attached to this letter.

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If the Universal Service Administrative Company (USAC) has determined that both the applicant and the service provider are responsible for a Program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a Program rule violation, this was indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full "Funds to be Recovered from Applicant" amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

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Atlanta, GA 30337  
Phone: 404-209-6377

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Complete Program information is posted to the SLD section of the USAC website at [www.usac.org/sl/](http://www.usac.org/sl/). You may also contact the SLD Client Service Bureau by email using the "Submit a Question" link on the SLD website, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

Universal Service Administrative Company  
Schools and Libraries Division

cc: Michael Swisher  
Pacific Bell Telephone Company

Funding Commitment Adjustment Report  
Form 471 Application Number: 635684

Funding Request Number: 1758853  
Services Ordered: TELCOMM SERVICES  
SPIN: 143002665  
Service Provider Name: Pacific Bell Telephone Company  
Contract Number: NA  
Billing Account Number: 9169911704  
Site Identifier: 16048929  
Original Funding Commitment: \$276,027.19  
Commitment Adjustment Amount: \$276,027.19  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$124,275.69  
Funds to be Recovered from Applicant: \$124,275.69 ✓  
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During a review, it was determined that the applicant signed a contract with the service provider prior to the expiration of 28-day posting period. FCC rules require that, except under limited circumstances, all Forms 470 received be posted on the USAC web site for 28 days, and that applicants carefully consider all bids received before selecting a service provider, entering into an agreement or signing a contract, and signing and submitting a Form 471. In the Receipt Notification Letter, USAC notified the applicant that the earliest date upon which they could sign a contract or enter into an agreement (Allowable Contract Date) was February 7, 2008. Based on the documentation provided, (Telecommunications Service Request), it appears that the service provider was selected on February 4, 2008. Since the service provider was selected prior to the required 28-day posting period, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

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Schools and Libraries Division

Demand Payment Letter

( Funding Year 2008: July 1, 2008 - June 30, 2009 )

February 11, 2013

Ruth Ann Hall

TWIN RIVERS UNIFIED SCHOOL DISTRICT

3222 Winona Way

North Highlands, CA 95660

|                                  |                                     |
|----------------------------------|-------------------------------------|
| Re: Form 471 Application Number: | 635684                              |
| Funding Year:                    | 2008                                |
| Applicant's Form Identifier:     | Phone                               |
| Billed Entity Number:            | 16048929                            |
| FCC Registration Number:         | 0018038620                          |
| SPIN:                            | 143022137                           |
| Service Provider Name:           | Southwestern Bell Telephone Company |
| Service Provider Contact Person: | Lysander Watson                     |
| Payment Due By:                  | 3/13/2013                           |

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Universal Service Administrative Company  
Schools and Libraries Division

cc: Lysander Watson  
Southwestern Bell Telephone Company

Funding Commitment Adjustment Report  
Form 471 Application Number: 635684

Funding Request Number: 1758970  
Services Ordered: TELCOMM SERVICES  
SPIN: 143022137  
Service Provider Name: Southwestern Bell Telephone Company  
Contract Number: NA  
Billing Account Number: 9169919213  
Site Identifier: 16048929  
Original Funding Commitment: \$7,540.85  
Commitment Adjustment Amount: \$7,540.85 ✓  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$5,667.57  
Funds to be Recovered from Applicant: \$5,667.57  
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During a review, it was determined that the applicant signed a contract with the service provider prior to the expiration of 28-day posting period. FCC rules require that, except under limited circumstances, all Forms 470 received be posted on the USAC web site for 28 days, and that applicants carefully consider all bids received before selecting a service provider, entering into an agreement or signing a contract, and signing and submitting a Form 471. In the Receipt Notification Letter, USAC notified the applicant that the earliest date upon which they could sign a contract or enter into an agreement (Allowable Contract Date) was February 7, 2008. Based on the documentation provided, (Telecommunications Service Request), it appears that the service provider was selected on February 4, 2008. Since the service provider was selected prior to the required 28-day posting period, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

PLEASE SEND A COPY OF THIS PAGE WITH YOUR  
CHECK TO ENSURE TIMELY PROCESSING



Schools and Libraries Division

Demand Payment Letter

( Funding Year 2008: July 1, 2008 - June 30, 2009 )

February 11, 2013

Ruth Ann Hall

TWIN RIVERS UNIFIED SCHOOL DISTRICT

3222 Winona Way

North Highlands, CA 95660

Re: Form 471 Application Number: 635684  
Funding Year: 2008  
Applicant's Form Identifier: Phone  
Billed Entity Number: 16048929  
FCC Registration Number: 0018038620  
SPIN: 143001192  
Service Provider Name: AT&T Corp.  
Service Provider Contact Person: Linda Doyle  
Payment Due By: 3/13/2013

You were previously sent a Notification of Commitment Adjustment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to the Notification of Commitment Adjustment Letter. A copy of that Report is attached to this letter.

The balance of this debt is due within 30 days from the date of this letter. Failure to pay the debt within 30 days from the date of this letter could result in interest, late payment fees, administrative charges, and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at [http://www.fcc.gov/debt\\_collection/faq.html](http://www.fcc.gov/debt_collection/faq.html).

If the Universal Service Administrative Company (USAC) has determined that both the applicant and the service provider are responsible for a Program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a Program rule violation, this was indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

Schools and Libraries Division - Correspondence Unit  
30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685  
Visit us online at: [www.usac.org/sl](http://www.usac.org/sl)

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full "Funds to be Recovered from Applicant" amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

If sending payment by U. S. Postal Service or major courier service (e.g. Airborne, FedEx, and UPS) please send check payments to:

Universal Service Administrative Company  
Lock Box 105056  
1075 Loop Road  
Atlanta, GA 30337  
Phone: 404-209-6377

Local messenger service should deliver to the Lockbox Receiving Window at the above address.

Payment is due within 30 days from the date of this letter.

Complete Program information is posted to the SLD section of the USAC website at [www.usac.org/sl/](http://www.usac.org/sl/). You may also contact the SLD Client Service Bureau by email using the "Submit a Question" link on the SLD website, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

Universal Service Administrative Company  
Schools and Libraries Division

cc: Linda Doyle  
AT&T Corp.

Funding Commitment Adjustment Report  
Form 471 Application Number: 635684

Funding Request Number: 1759054  
Services Ordered: TELCOMM SERVICES  
SPIN: 143001192  
Service Provider Name: AT&T Corp.  
Contract Number: NA  
Billing Account Number: 9169911704  
Site Identifier: 16048929  
Original Funding Commitment: \$1,008.00  
Commitment Adjustment Amount: \$1,008.00  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$1,008.00  
Funds to be Recovered from Applicant: \$1,008.00  
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During a review, it was determined that the applicant signed a contract with the service provider prior to the expiration of 28-day posting period. FCC rules require that, except under limited circumstances, all Forms 470 received be posted on the USAC web site for 28 days, and that applicants carefully consider all bids received before selecting a service provider, entering into an agreement or signing a contract, and signing and submitting a Form 471. In the Receipt Notification Letter, USAC notified the applicant that that the earliest date upon which they could sign a contract or enter into an agreement (Allowable Contract Date) was February 7, 2008. Based on the documentation provided, (Telecommunications Service Request), it appears that the service provider was selected on February 4, 2008. Since the service provider was selected prior to the required 28-day posting period, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.